

# SENATE RECORD VOTE ANALYSIS

104th Congress  
1st Session

Vote No. 399

September 6, 1995, 10:04 a.m.  
Page S-12675 Temp. Record

## DEFENSE AUTHORIZATION/Final Passage

**SUBJECT:** National Defense Authorization Act for fiscal year 1996 . . . H.R. 1530. Final passage, as amended.

**ACTION: BILL PASSED, 64-34**

**SYNOPSIS:** As amended and passed, H.R. 1530, the National Defense Authorization Act for fiscal year 1996, will authorize \$264.7 billion in total budget authority for the Department of Defense, national security programs of the Department of Energy, civil defense, and military construction accounts. This amount is \$7 billion more than requested (\$5.3 billion more for procurement and \$1.7 billion more for research and development), and is \$2.6 billion less than the amount approved in the House-passed bill. Details are provided below.

Procurement authorizations include the following:

- \$2.4 billion for eight C-17 aircraft;
  - \$1.5 billion for the SSN-23 Seawolf submarine (see vote No. 356 for related debate: total funding for the three Seawolf submarines will be capped at \$7.224 billion);
  - \$814.5 million for the New Attack Submarine Program;
  - \$583.8 million for M1A2 tank upgrades;
  - \$2.2 billion for two DDG-51 destroyers;
  - \$1.3 billion for the LHD-7 amphibious ship;
  - \$777.4 million for specific equipment purchases for the National Guard and Reserves (see vote No. 366 for related debate);
- and
- \$1.258 billion for 24 F/A-18C/D Hornet fighters.

Research, development, test, and evaluation:

- \$3.4 billion for the Ballistic Missile Defense Organization (BMDO), including: \$666.9 million for the Patriot system; \$299.4 million for the Navy Lower Tier system; \$589.9 million for the THAAD (Theater High Altitude Aerial Defense) system; \$70 million for the space-based laser program; \$35 million for the Marine Corps SAM; and increases for cruise missile defense programs totaling

(See other side)

YEAS (64)			NAYS (34)			NOT VOTING (2)	
Republicans (50 or 94%)		Democrats (14 or 31%)	Republicans (3 or 6%)	Democrats (31 or 69%)		Republicans (1)	Democrats (1)
Abraham	Helms	Breaux	Hatfield	Baucus	Johnston	Murkowski- <sup>2</sup>	Akaka- <sup>4</sup>
Ashcroft	Hutchison	Bryan	Jeffords	Biden	Kennedy		
Bennett	Inhofe	Feinstein	McCain	Bingaman	Kerry		
Bond	Kassebaum	Ford		Boxer	Kohl		
Brown	Kempthorne	Graham		Bradley	Lautenberg		
Burns	Kyl	Heflin		Bumpers	Leahy		
Campbell	Lott	Hollings		Byrd	Levin		
Chafee	Lugar	Inouye		Conrad	Moseley-Braun		
Coats	Mack	Kerrey		Daschle	Moynihan		
Cochran	McConnell	Lieberman		Dodd	Murray		
Cohen	Nickles	Mikulski		Dorgan	Pell		
Coverdell	Packwood	Nunn		Exon	Pryor		
Craig	Pressler	Reid		Feingold	Rockefeller		
D'Amato	Roth	Robb		Glenn	Sarbanes		
DeWine	Santorum			Harkin	Simon		
Dole	Shelby				Wellstone		
Domenici	Simpson						
Faircloth	Smith						
Frist	Snowe						
Gorton	Specter						
Gramm	Stevens						
Grams	Thomas						
Grassley	Thompson						
Gregg	Thurmond						
Hatch	Warner						

### EXPLANATION OF ABSENCE:

- 1—Official Buisiness
- 2—Necessarily Absent
- 3—Illness
- 4—Other

### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

\$145 million; BMDO funding is contained in a section entitled the Missile Defense Act of 1995; this section of the bill will change the focus of BMDO activities to provide for the development for deployment by 2003 of a multiple-site, national missile defense system against limited ballistic missile attacks, plus it will provide for deployment by specific dates of various tactical missile defense systems; the Missile Defense Act will also express the sense of Congress on the appropriate demarcation point between tactical and strategic ballistic missiles, and will prohibit funding to implement an international agreement on a more stringent point unless approved by legislation or agreed to under the President's treaty-making authority (see vote Nos. 350-351 and 398; for related debate, see vote Nos. 354-355 and 358);

- \$232 million for the Technology Reinvestment Program;
- \$2.1 billion for the F-22 program;
- \$762.5 million for the V-22 Osprey tilt-rotor aircraft;
- \$373.1 million for the Comanche helicopter (with procurement commencing by FY 2001 and with initial operating capability by 2003); and

- instead of authorizing the purchase of 20 additional B-2 bombers, as provided in the House defense authorization bill, an additional \$353 million will be authorized for the Services to coordinate their efforts to develop Precision Guided Munitions (PGMs).

Recommended active duty end strength: 1,485,540 (a decrease of 40,152 from FY 1995, and 340 more than requested), as follows: Army, 495,000; Navy, 423,340; Air Force, 388,200; and Marine Corps, 174,000.

Recommended reserve end strength: 938,844 (a decrease of 57,053, and 3,809 more than requested) including: Army National Guard, 373,000; Army Reserve, 230,000; Air National Guard, 112,707; Naval Reserve, 98,000; Air Force Reserve, 73,969; and Marine Corps Reserve, 42,274.

Key miscellaneous provisions include the following:

- a 2.4 percent pay raise for military members and a 5.2 percent increase in basic allowance for quarters will be authorized, effective January 1, 1996;

- no funds will be authorized for international peacekeeping (the Administration requested \$65 million);

- \$365 million will be authorized for the Cooperative Threat Reduction Program (also known as the Nunn-Lugar Program);

- a Defense Modernization Account will be created which will allow the Defense Department to retain any savings it may achieve for modernization efforts;

- the use of defense funds to assist terrorist nations will be prohibited (this provision is in response to President Clinton's use of Defense Emergency and Extraordinary funds to pay for the purchase and shipment of heavy oil to North Korea as part of a multi-billion-dollar assistance program intended to stop that country's nuclear weapons program);

- Congress will be given advance notice for any use of the Emergency and Extraordinary funds in excess of \$500,000 unless such advance notice would compromise national security;

- a self-financing export loan guarantee program will be created for defense sales by United States companies to a select group of allies (see vote No. 357 for related debate);

- it is the sense of the Congress: that U.S. forces should not be placed under operational control of the United Nations (U.N.) without close and prior consultation with Congress; that they should only be placed under U.N. control if such control is clearly in the United States' interest, if the commanders are qualified, and if there is a clear and effective chain of command and control; and that U.S. forces should not be placed under the operational control of foreign commanders in peace enforcement missions except in the most extraordinary of circumstances;

- unless and until the START II Treaty enters into force, no funds may be obligated or expended during FY 1996 to retire or dismantle, or to prepare to retire or dismantle, any of the following strategic nuclear delivery systems: B-52 bombers, Trident submarines; Minuteman III intercontinental ballistic missiles; or Peacekeeper intercontinental ballistic missiles;

- approximately \$11 billion will be authorized for military construction accounts, including \$3.9 billion for FY 1996 for the Base Realignment and Closure (BRAC) program; additionally, closed facilities may be leased prior to taking any required environmental remediation actions;

- \$11.2 billion will be authorized for Department of Energy National Security Programs; initiatives include an authorization to begin preparations for hydronuclear experiments (see vote No. 359-360 for related debate) though no authorization will be give for actually conducting such tests;

- the Secretary of Defense will reduce the total cost of the ongoing, multiyear-year renovation of the Pentagon so that it will not exceed \$1.118 billion;

- defense executive aircraft flight hours will be cut by 15 percent;

- it is the sense of the Senate that the Senate should promptly consider giving its advice and consent to the START II Treaty and to the Chemical Weapons Convention;

- defense contracts will not be given that compensate individual contractors at rates in excess of \$250,000 yearly;

- it is the sense of the Senate that the Ethics Committee should follow whatever procedures it deems necessary and appropriate to provide a full and complete record of the relevant evidence in the case of Senator Packwood (see vote No. 353; see vote No. 352 for related debate);

SEPTEMBER 6, 1995

VOTE NO. 399

- waivers of the time-in-grade requirement for officers under investigation or who have adverse personnel actions pending for misconduct will be prohibited;
- \$42 million will be authorized for the Troops-to-Teachers Program, and \$10 million will be authorized for the Troops-to-Cops Program;
- military personnel convicted of felonies will forfeit pay and allowances (see vote No. 363); and
- a unilateral moratorium on the use of anti-personnel landmines will be enacted (see vote No. 368).

NOTE: Immediately prior to final passage, the Senate struck all after the enacting clause and substituted in lieu thereof the text of S. 1026, as amended.

**Those favoring** final passage contended:

The primary responsibility of the Federal Government is to protect national security. Over the past several years it has been increasingly neglecting that responsibility. This bill will slow the decline, and, if it is built upon as we hope in future years, it will signal the end of the deterioration of our Armed Forces. Overall, H.R. 1530 will authorize \$7 billion more than the President requested. This amount is not an "increase;" in real terms, it is \$6.2 billion less than was spent on defense last year. The defense budget is now at its lowest level as a percentage of gross domestic product since 1940, just before a grossly unprepared United States entered World War II.

Four key elements of this bill need to be highlighted. First, it will provide a 2.4 percent pay increase and a 5.2 percent quarters allowance increase. These increases are sorely needed. High deployment rates, inadequate training, pay that is so low that many soldiers are on Food Stamps, and down-sizing are hurting morale and leading to recruitment and retention problems. A 2.4 percent pay increase will not solve personnel problems, but it will help. Second, the bill will authorize \$5.3 billion more than President Clinton requested for procurement, and will add \$1.7 billion to his request for research and development. This extra funding should only be seen as a first step. Procurement funding has declined more than 70 percent in the past 10 years. The United States cannot coast forever on the defense build-up of the early 1980s. As that equipment ages and becomes obsolete, it will be increasingly at risk. Third, this bill will provide for the early deployment of battlefield missile defenses, and will provide for the development for deployment of a national missile defense system. Finally, it will take steps to improve the safety and reliability of our nuclear weapons, including by preparing for hydronuclear testing.

Historically, after a conflict ends, the United States has disarmed, and has been unprepared when a new foe has emerged and it has been drawn into a new war. The end of the Cold War has so far proven to be no exception. Despite our warnings, defense spending has declined drastically. Our fear and expectation is that the United States will pay dearly for this decline in future years. The United States currently does not have an adversary of equal strength, but we are not naive enough to expect this situation to last. When an adversary emerges, the United States should be strong enough to discourage aggression. If not, it will be drawn into war. Much as our colleagues may wish otherwise, freedom is not free. H.R. 1530 will provide enough to protect our national security for next year, but we remain concerned about future years. We urge colleagues to join with us in voting in favor of final passage, and to join with us in future years in increasing defense funding.

**Those opposing** final passage contended:

We oppose this bill for 3 reasons. First, it will add \$7 billion in additional funding, mostly to procure exotic, Cold War weaponry that the United States does not need and cannot afford and that the Pentagon did not even request. This additional spending cannot be justified in light of the massive debt and deficit and the cuts that are being made in needed domestic welfare programs to reduce that deficit. Second, it will recklessly move toward deployment of a national missile defense system that could very well destroy ongoing arms reduction efforts. We are very thankful that our colleagues compromised on this effort to ensure compliance with the ABM Treaty, but we are still troubled that Russia may respond by refusing to destroy any more of its nuclear missiles. Our third reason for opposing this authorization bill is that it will provide \$50 million to prepare for hydronuclear experiments. It is difficult to think of a more dangerous proposal. The spread of nuclear weapons technology poses an enormous national security threat to the United States. The best way to stop the spread of this technology is to stop nuclear testing by countries with nuclear weapons and by countries wishing to acquire them. For the past several years the United States has had a moratorium on testing as it has sought a comprehensive nuclear test ban treaty with all nations. Some countries have resisted agreeing to such a treaty. If the United States conducts hydronuclear experiments, then other countries will use it as their excuse to also conduct tests, and no treaty will be reached. For these three reasons--that this bill has \$7 billion in unneeded authorizations, that it may hurt existing arms control agreements, and that it may hurt nonproliferation efforts--we urge our colleagues to vote against final passage.